

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #: *(AJEY, S.)*
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In Re TERRORIST ATTACKS on
SEPTEMBER 11, 2001

) 03 MDL 1570 (RCC)
ECF Case

This document relates to:

*New York Marine & General Ins. Co. v. Al Qaida, 04-CV-6105 (RCC)
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970 (RCC)*

STIPULATION AND ORDER
FOR SERVICE OF PROCESS AND SETTING SCHEDULE FOR
THE NATIONAL COMMERCIAL BANK TO RESPOND TO
THE NEW YORK MARINE AND CONTINENTAL CASUALTY COMPLAINTS

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the *New York Marine* and *Continental Casualty* Plaintiffs (collectively, "Plaintiffs"), and for Defendant The National Commercial Bank ("NCB"), subject to the approval of the Court, as follows:

1. A copy of the summons and complaint in *New York Marine* and *Continental Casualty*, in both Arabic and English, shall be served via Federal Express, or other major carrier, on the Ministry of Foreign Affairs, P.O. Box 55937, Riyadh 11544, Kingdom of Saudi Arabia. A copy of the air bill will be furnished to counsel for NCB. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "Nasseria" in place of the P.O. Box and add the telephone number +966 1 407 9255.

2. A copy of the summons and complaint in *New York Marine* and *Continental Casualty*, in both Arabic and English, shall be served via Federal Express, or other major carrier, on NCB at its headquarters in Jeddah, Saudi Arabia at the following address: P.O. Box, Jeddah 21481, Kingdom of Saudi Arabia. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "King Abdul Aziz St." in place of the P.O. Box. A copy of the airbill will be furnished to counsel for NCB.

3. A courtesy copy of the summons and complaint in *New York Marine and Continental Casualty* in English shall be served via Federal Express and e-mail on Patton Boggs LLP in Washington, D.C.

4. Each plaintiff shall serve its RICO Statement concerning NCB, as required by Paragraph 7 of the Court's Standing Rules of Practice and in Paragraph 14 of Case Management Order No. 2, not later than thirty (30) days from the date the Court approves this Stipulation and Order.

5. NCB shall have forty-five (45) days from the date on which the Court decides NCB's pending motions to dismiss in *Burnett* (03-CV-9849) and *Ashton* (02-CV-6977) to file a consolidated motion to dismiss, or to otherwise file individual responses to, the *New York Marine and Continental Casualty* complaints. The memorandum of law in support of NCB's consolidated motion shall not exceed 25 pages in length.

6. Plaintiffs shall have forty-five (45) days from the date on which it is served with NCB's consolidated motion to dismiss to file their consolidated response to NCB's motion to dismiss. Plaintiffs' consolidated memorandum of law in response to NCB's consolidated motion shall not exceed 25 pages in length.

7. NCB shall have 30 days thereafter to file a consolidated reply to Plaintiffs' opposition. NCB's consolidated reply memorandum of law shall not exceed 10 pages in length.

8. The foregoing schedule is without waiver of any of NCB's defenses, including the defense of lack of personal jurisdiction, except that NCB does not challenge the sufficiency of Plaintiffs' service of process on NCB in this case if made in compliance with Paragraphs 1-3 above.

Dated: Washington, D.C.

December 2004

January 3, 2005

PATTON BOGGS LLP


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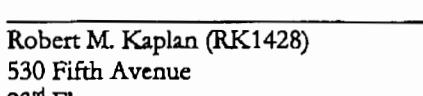
Respectfully submitted,

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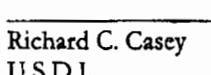
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Counsel for Plaintiffs
Continental Casualty Co. et al.

Dated: New York, New York
December ___, 2004

SO ORDERED:


Richard C. Casey
U.S.D.J.

Dated: Washington, D.C.
December , 2004

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Continental Casualty Co. et al.

Dated: New York, New York
December 7, 2004

January

SO ORDERED:



Richard C. Casey
U.S.D.J. *mu*